

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**IN THE INTEREST OF: E.B.R. AND  
T.R.B.;**

**JUVENILE OFFICER**

**v.  
E.R. (FATHER)**

**RESPONDENT,**

**APPELLANT.**

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DOCKET NUMBER WD79507

DATE: November 1, 2016

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Appeal From:

Jackson County Circuit Court  
The Honorable John M. Torrence, Judge

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Appellate Judges:

Division One: Thomas H. Newton, Presiding Judge, Cynthia L. Martin, Judge and Edward R. Ardini, Jr., Judge

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Attorneys:

Ryan F. Kaiser, Kansas City, MO, for respondent.

David A. Suroff and Jeffery W. Fields, Kansas City, MO, for appellant.

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**MISSOURI APPELLATE COURT OPINION SUMMARY**

**MISSOURI COURT OF APPEALS  
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**JUVENILE OFFICER,**

**v.  
E.R. (FATHER),**

**RESPONDENT,**

**APPELLANT.**

No. WD79507

Jackson County

Before Division One: Thomas H. Newton, Presiding Judge, Cynthia L. Martin, Judge and Edward R. Ardini, Jr., Judge

Father appeals from the trial court's entry of a judgment terminating his parental rights to E.B-R. and T.R-B. Father argues that the trial court erred by concluding that he was unfit to be a party to the parent and child relationship under section 211.447.5(6) because it applied obsolete statutory language; because the evidence was not sufficient to find him unfit; and because the trial court failed to make best interest findings required by section 211.447.7.

**AFFIRMED.**

1. Regardless whether section 211.447.5(6) as amended in 2014, or in its form prior to amendment, applied to Father's case, the evidence clearly and convincingly established a basis for termination pursuant to section 211.447.5(6) because the evidence established specific conditions directly relating to the parent and child relationship of a duration or nature that rendered Father unable for the reasonably foreseeable future to care appropriately for the ongoing physical, mental, or emotional needs of the child.

2. Section 211.447.7 does not require written statutory best interest findings to be included in a judgment when parental rights are terminated pursuant to section 211.447.5(6).

Opinion by Cynthia L. Martin, Judge

November 1, 2016

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